

REMARKS

Applicant thanks the Examiner for the careful review of this application. In the specification, on page 6, the paragraph beginning on line 25 was amended to correct minor clerical errors. Several claims were amended to clarify aspects of the present invention and/or to correct clerical errors. No new matter was added. Claims 1-83 remain pending in this application.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 36-66 and 76-80 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicant respectfully traverses for the following reasons.

Independent claim 36 is directed to a graphical user interface in a computer for creating a project. As such, Applicant respectfully submits that the invention as defined in claim 36 is statutory subject matter. That is, the invention of claim 36 enables a user to conveniently create a project through a graphical user interface residing in a computer. Therefore, claim 36 does produce a useful, concrete and tangible result – an interface for creating a project.

Independent claims 45, 57, 76 and all dependent claims thereof have been amended such that each claimed method is now a computer-implemented method. Applicant respectfully submits that these claims are within the technological arts. Applicant has made this amendment in the interests of expediting the present application. Applicant believes the original claims are statutory subject matter and reserves the right to introduce claims of an equivalent scope in a continuation application.

In further regard to independent claims 45, 57 and 76, these claims are directed to methods for structuring a project, representing a project and a method for receiving a

linkage from a user between a response and a requirement. Applicant respectfully submits that these claims produce useful, concrete and tangible results. Specifically, claim 45 provides for a computer-implemented method for structuring a project by receiving a selection of an element of a project and receiving a message concerning the element, both done by a first party. A record including the message, an identification of the message as a first key, and an identification of the selected element as a second key, is stored in a database. The method of claim 45 produces a useful, concrete and tangible result; a project can be structured thereby. In a similar manner, claim 57 produces a result that represents a project. The method of claim 76 facilitates the implementation of a requirement.

Claims 37-44, 46 56, 58-66 and 72-80 depend directly or indirectly from independent claims 36, 45, 47 and 71 are allowable at least for the same reason as set forth for those independent claims.

REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1, 2, 8-12, 14-23, 27, 29, 31-35, 45, 46, 48-53, 57, 61-63, 69-71 and 73-80 were rejected under 35 U.S.C. § 102(e) as being anticipated by Nummelin (U.S. Patent No. 6,308,164). Applicant respectfully traverses for the following reasons.

The Prior Art

Nummelin apparently discloses an enterprise project management system that includes a system for creating new projects and adding project tasks and resources to the system. Information used to create the projects, project tasks, and resources is input at a workstation that may or may not be connected to the enterprise network. The information used to create projects, project tasks, and resources includes primary and secondary information. The primary information is essential to the project management system for storing the project, project task, and resource, and for creating or modifying the project schedules. The secondary information is categorization or classification

information useful for reporting and is not essential to the scheduling function of the system. The secondary information fields are validated by comparing at least some of them with a set of predefined valid values for each field.

Notably, Nummelin discloses a distributed project management system that merely provides a means for a project to be defined by a first party and then track the progress of that project. That is, an entity that needs to do a project defines the requirements of the project and that same entity also decides how to meet those requirements. Nummelin's system additionally provides for remote entry of project related data such as a completion of a project task.

The Prior Art Distinguished

Claim 1 includes the language, "wherein the at least one of the plurality of responses facilitates further specifying an aspect of the at least one of the plurality of requirements." Applicant respectfully submits that Nummelin does not further specify requirements using responses. By the time Nummelin's remote workstations are used, the project has already been fully defined by requirements and how to meet those requirements. Since Nummelin does not teach responses may further specify an aspect of a requirement, Nummelin fails to teach each element of claim 1.

Claim 23 includes the language, "wherein the plurality of responses facilitate modification of the plurality of requirements by the first party[.]" Since Nummelin does not teach modifying the plurality of requirements using the responses, Nummelin fails to teach each element of claim 23.

Claim 45 includes the language, "receiving a message concerning the selected element from the second party[.]" where the elements are received from a first party. Since Nummelin does not teach receiving messages concerning elements of a project from a second party, Nummelin fails to teach each element of claim 45.

Claim 57 includes the language, "receiving messages in a conference concerning the selected element from one or more parties[.]" The Examiner asserts at page 8 of the Office action that Nummelin teaches "receiving messages in a conference concerning the selected element from one or more parties (e.g., e-mail messages transferred between workstations 120 and 130, column 6, lines 50-55)." However, in Nummelin, project managers simply send out requirements via e-mail; there is no conferencing. The applicants respectfully assert that a conference requires an exchange of views. Since Nummelin does not teach receiving messages in a conference concerning the selected element, Nummelin fails to teach each element of claim 57.

Claims 69 and 71 are allowable for reasons similar to those described with reference to claim 57.

Claim 76 includes the language, "receiving from a user a linkage between a response and a requirement, wherein said requirement includes an element of a project to be implemented and said response includes a proposal to implement the requirement." The Examiner asserts at page 10 of the Office action that Nummelin discloses "receiving from a user a linkage between a response and a requirement, wherein said requirement includes an element of a project to be implemented and said response includes a proposal to implement the requirement (e.g., project manager 120 inputs project task to be completed, wherein project resource 130 receives task assignment receipt by project resource 130)." However, in Nummelin, a user does not provide a linkage between a response and a requirement. Rather, the requirement is simply provided, and followed, without receiving the linkage between response and requirement from a user. Since Nummelin does not teach receiving from a user a linkage between a response and a requirement, Nummelin fails to teach each element of claim 76.

Dependent Claims

Claims 2, 8-12, 14-22, 27, 29, 31-35, 46, 48-53, 61-63, 70 and 73-75 and 77-80 depend directly or indirectly from independent claims 1, 23, 36, 45, 57, 69, 71, and 76, and are allowable at least for the reasons set forth for these independent claims.

In addition, claim 8 includes the language, "at least one of the requirements and at least one of the responses include at least one of: a standard, a specification, and a datasheet." The Examiner asserts at page 4 of the Office action that Nummelin discloses "at least one of the requirements and the responses includes at least one of: a standard (e.g., skill required for the task, column 9, lines 15-17), a specification, and a datasheet." However, in Nummelin, at col. 9, lines 15-17, the secondary information is entered by a project manager. Nummelin does not appear to teach responses include secondary information such as standards, specifications, or data sheets. Since Nummelin does not teach a requirement **and** a response includes at least one of a standard, a specification, and a datasheet, claim 8 is allowable for this additional reason.

Claims 9-12 and 14-21 are allowable for reasons similar to those described with reference to claim 8.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 3-7, 24-26, 28, 36-44, 47 and 58-60 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nummelin in view of Formenti (U.S. Patent No. 6,487,469). Claims 13, 30, 54-56, 64-68 and 81-82 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nummelin in view of Desjardins (U.S. Published Patent Application No. 2002/0059512).

The Prior Art

Nummelin was summarized above.

Formenti apparently discloses a system for project management integration that includes a design database, a schedule database, and an integration module. As described at col. 2, line 66 to col. 4, line 9, "Design database includes design cells that are organized in a hierarchical manner (col. 3, lines 15-16)." "Design cells represent systems, subsystems, devices, components, elements, processes, flows, or other components used in a design (col. 3, lines 2-4)." "For example, a design database may contain a particular module for a design that is being developed. Within that one particular module are expandable modules representing various systems being integrated as part of the design (col. 3, lines 36-40)." The embodiments described by Formenti include semiconductor design and other design tools applicable to the semiconductor industry.

As described at col. 4, lines 10-53, "Schedule database 30 may further provide the capability of arranging project tasks and sub-tasks in a hierarchical structure linking or showing relationships between such tasks and sub-tasks similar to the tree structure illustrated above in reference to design database 20 (col. 4, lines 27-31)." "Notably, design cells such as those that are not represented by capital letters in the tree structure illustrated above in reference to design database 20 will not have corresponding tasks or sub-tasks in schedule database. As described above, such design cells are standard elements, library components, or other previously developed components and are not cells containing items whose development is an active part of the design project (col. 4, lines 46-53)."

As described at col. 5, line 19 to col. 6, line 6, "Integration module 50 includes software to monitor for and translate changes made to data in design database 20 or

schedule database 30 and to determine whether or not such changes need to be reflected in any or both of the remaining databases (col. 5, lines 39-43)."

Thus, according to Formenti, a project manager may design a project that includes available components and to-be-developed components. As the project manager develops the project, the project may include additional available or to-be-developed components (reflecting a change in the design database). The schedule database includes the to-be-developed components as tasks. As the components are developed (reflecting a change in the schedule database), they are incorporated into the project as available components. The integration module modifies the databases to ensure that they correspond to one another. So, if a to-be-developed component is added to the design database, the integration module updates the schedule database to include an associated task. Conversely, if a task is completed, the integration module updates the design database to show that the component is now available. Notably, Formenti does not describe responses that are used by the project manager to make adjustments to design requirements.

Desjardins apparently discloses a process for developing a project for managing an information technology project that includes a series of principal steps, each of which includes one or more sub-steps. The principal steps may include: (1) assessing the feasibility of the project to determine whether to proceed with the project; (2) performing initial project analysis to determine the project's functional requirements; (3) designing the IT product; (4) building the IT product; (5) testing the IT product; (6) implementing the IT product; and (7) closing-out the IT project, including evaluating the project. A method is also provided for providing, accessing and using the structured process. The method can be implemented using computer technology by storing the information regarding the structured process in a database and using a computer (or network of computers) to access and utilize the information. The computer may include an output device for presenting information regarding the status of the structured process, including an indication of the level of completion of each principal step.

In FIG. 1A, Desjardins disclose a first step 104 in which, among other things, major risks may be identified. At decision point 106, the project is either approved or disapproved. No further evaluation of risks is provided. Thus, although risks may be identified, Desjardins does not describe any identification of mitigation to the risks. It follows that Desjardins does not describe a linking of the mitigation to the risks.

The Prior Art Distinguished

Claim 36 includes the language, "wherein the responses facilitate adjustment of requirement parameters by a requirement development team." As noted above with reference to the 102 rejections, Nummelin does not disclose responses that facilitate adjustment of requirements. Formenti discloses a system in which a project manager designs a project, which may include tasks which are assigned in order to develop necessary components for the project design. No mention is made of responses that are used by the project manager to adjust requirement parameters. Since Nummelin and Formenti do not disclose responses that facilitate the adjustment of requirement parameters, Nummelin and Formenti, whether considered alone or in combination, fail to teach each element of claim 36.

Claim 67 includes the language, "an identification of a risk", "an identification of a mitigation to the risk", and "a link between the mitigation and the risk." The Examiner admits at page 17 of the Office action that Nummelin does not disclose "saving in the database table an identification of a risk received from the first party, saving in the database table an identification of a mitigation received from a second party, and saving in the database table a link between the risk and the mitigation." The Examiner asserts Desjardins makes up for this deficiency because Desjardins disclose "a risk analysis, which includes documenting the constraints and assumptions involved in the project (§ 0050), and the system implemented using system 200, saving information in database 212 (§ 0130)." The Examiner notes that Desjardins discloses "finalize the risk analysis, which may include documenting constraints and assumptions involved in the project" (§ 0050), but makes no mention of identification of a mitigation to the risk.

However, documenting constraints and assumptions is not the same as identifying a mitigation to the risk. Rather, as is clearly indicated in the cited text, documenting constraints and assumptions is an attempt to analyze the risk. Mitigation is a step that necessarily follows an identification of risk (e.g., risk analysis). The applicants respectfully point out that neither Nummelin nor Desjardins disclose a mitigation to the risk. It follows that neither Nummelin nor Desjardins disclose a link between the mitigation and the risk. Since Nummelin and Desjardins do not disclose an identification of a mitigation to risk or a link between the mitigation and the risk, Nummelin and Desjardins, whether considered alone or in combination, fail to teach each element of claim 67.

Claim 81 includes the language, "each linkage connecting one of said mitigations to one of said risks." Accordingly, claim 81 is allowable for at least one reason similar to that described with reference to claim 67.

Dependent Claims

For reasons similar to those put forth in regards to Nummelin in the previous section, Applicant respectfully submits that claims 3-7, 13, 24-26, 28, 30, 36-44, 47, 54-56, 58-60, 64-68, and 81-82 are allowable.

Claim 72, which depends from claim 71, is believed to be allowable at least for depending from an allowable base claim. Claim 83, which depends from claim 81, is believed to be allowable at least for depending from an allowable base claim.

CONCLUSION

Applicant believes that all pending claims are allowable. Withdrawal of the rejections of all claims and a Notice of Allowance is respectfully requested. The amendment was made to expedite the prosecution of this application. Applicant

respectfully traverses the rejections of the amended claims and reserves the right to re-introduce them and claims of an equivalent scope in a continuation application.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,
Perkins Coie LLP

A handwritten signature in black ink, appearing to read 'Will. Ahmann', written over the printed name.

William F. Ahmann
Registration No. 52,548

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Correspondence Address:

Customer No. 22918, Perkins Coie LLP
P.O. Box 2168
Menlo Park, CA 94025
Telephone: (650) 838-4300